

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

**NATIONAL RAILROAD PASSENGER
CORPORATION (AMTRAK),**

*

Plaintiff,

*

v.

*

CIVIL NO. JKB-24-0475

**.028 ACRES MORE OR LESS OF LAND,
*et al.,***

*

Defendants.

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MEMORANDUM AND ORDER

In this condemnation action, Amtrak, pursuant to 49 U.S.C. § 24311, has acquired 808 North Brice Street, Baltimore, Maryland. The Court held a hearing regarding the just compensation for the property and issued an Order setting such just compensation at \$3,700. (ECF No. 38.) Amtrak has deposited funds totaling \$3,700, which have been held in an interest-bearing account in the registry of the Court. (*See* ECF No. 7.)

The Court concludes that it has jurisdiction over all appearing and non-appearing Defendants, given the nature of this action and that all Defendants have been served by Amtrak. (*See* ECF No. 22 (status report detailing service of process on Defendants).) Further, the time for filing motions for disbursement has passed. As provided in 49 U.S.C. § 24311(b)(4), “[o]n application of a party, the court may order immediate payment of any part of the amount deposited in the court for the compensation to be awarded.” Federal Rule of Civil Procedure 71.1(c)(4) provides that “[t]he court [] may order any distribution of a deposit that the facts warrant.”

The only Defendant that has filed a Motion for Disbursement is the Mayor and City Council of Baltimore City (the “City”). (ECF No. 35.) The City seeks a disbursement of \$3,700 plus accrued interest. (*Id.*) It provides an affidavit from Edward Scrivener, Delinquent Accounts

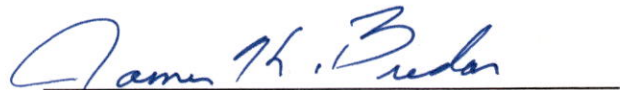
Manager for the City of Baltimore Bureau of Revenue Collections of the Department of Finance, in which he “attest[s] and affirm[s] that a search of the City tax lien record” reflects that \$47,184.17 is due and owing to the City. (ECF No. 35-2.) Attached to the affidavit is documentation supporting this figure. (See ECF No. 35-2 at 3–9.) The Court finds that, upon the facts in the record, a distribution of \$3,700 plus accrued interest to the City is appropriate.

Accordingly, it is ORDERED that:

1. The City’s Motion for Disbursement of Funds (ECF No. 35) is GRANTED.
2. The Clerk is DIRECTED to issue and mail the following check to the City:
 - a. \$3,700 plus all accrued interest, payable to the Director of Finance, and mailed to the attention of Thomas P.G. Webb, Esq., Baltimore City Law Department, 100 N Holliday Street, City Hall – Room 101, Baltimore, Maryland 21202.
3. The Clerk is DIRECTED to CLOSE this case.

DATED this 6 day of November, 2024.

BY THE COURT:

A handwritten signature in blue ink, reading "James K. Bedar", is written over a horizontal line.

James K. Bedar
United States District Judge